

Docket No.: 0020-5462PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yuzo KAKIYA et al.

Application No.: 10/565,105

Confirmation No.: 5540

Filed: January 19, 2006

Art Unit: N/A

For: PROCESS FOR PRODUCING IMIDE
COMPOUND

Examiner: Not Yet Assigned

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of November 2008 for the above-identified

☒ application ☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input checked="" type="checkbox"/> Other: Fee for filing RCE	<u>\$810</u>
TOTAL REFUND REQUESTED	<u><u>\$810</u></u>

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicants request refund of the filing fee for an RCE filed herewith. The RCE is filed to obtain consideration by the Examiner of an Information Disclosure Statement filed after receipt of a Notice of Allowance.

The IDS filed herewith was **first filed** via EFS-Web on October 31, 2007, prior to the issuance of the Notice of Allowance in this application. Upon review of the file after receipt of the Notice of Allowance, it was discovered that the form SB -08 IDS filed October 31, 2007 had not been returned by the Examiner. Follow-up with the Examiner revealed that the IDS **had not been entered into the Image File Wrapper** for the application, despite that the electronic filing receipt showed acceptance and entry of the item (COPY ATTACHED).

The Examiner required filing of a RCE together with refiling of the IDS to obtain consideration of the references.

Applicants submit that the filing of the RCE herewith was necessary due to a system failure on the part of the USPTO and so request that the fees for filing the RCE be refunded.

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IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: January 7, 2009

Respectfully submitted,

By 
Mark J. Nuell
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Attachment